

Testimony
HB 5444
March 14, 2018

Dear Members of the Education Committee,

We, as stewards of children in this state, are primarily concerned with their best interest, with safety being of the utmost of those concerns, and so I thank you for your continued attention on the issues of student data security.

To the amendments to the current statute;

A) Section 1; Addendum:

The state addendum to contracts that may be used for all districts to utilize seems to be an efficient solution to each district negotiating the same terms independently. I support this provision as long as:

- the addendum takes precedence over and supersedes the remaining terms of the original agreement should they conflict,
- includes all provisions of the existing Connecticut statute and looks to Federal guidance available for Model Terms of Service that meets Federal requirements.

I ask that you consider adding such language to the bill.

B) Section 2 (i) IEP Exception.

While hard to imagine any circumstance in which an operator is “unable” to comply, this section refers to both HIPPA and FERPA but does not specifically mention IDEA. IDEA provides additional provisions on confidentiality, authorized access for what purpose, additional parental notice and access stipulations and destruction protocol.

I ask that you consider adding IDEA to this part of the bill and ensure that the language in this section is sufficient to comply with special education law.

C) Task Force.

The task force was to be named in July of 2016 and convened by August 2016, with a report due January 1, 2017. It is March 2018. A new report due date of January 2019 within this bill.

I would ask that you assist those members of the general assembly with their appointments who have yet to do so within the time frame outlined in this section so that we as a state can collaboratively address the specific areas named in the law in addition to new developments and concerns for our students and districts in this realm, such as ransomware and/or algorithmic bias and ethics.

While the Governors Cybersecurity Strategy, released in June of 2017 begins a more comprehensive vision for our state, it did not include one of the top sectors facing such threats - K-12 education. While healthcare and finance, on the national level also experience high levels of threat, education lacks both expertise and funds to adequately address its rapid growth rate of incidence. I would request that as education advocates and stewards for our students in Connecticut that we think about including all education sectors, not higher education alone, within that important conversation and strategy.

In this day our educators have become the first line of defense to our states students in more ways than one on a daily basis. As we support them in all manners related to training and resources to do so, this ought to be deemed no different a scenario given the far greater incidence and complexity of issues.

One would expect that in this house, in this room, and in this state that above anyone or anything else you will stand firm in all manners and respects to the safety and security of the children of Connecticut, that nothing shall stand before that purpose, and that those who partner with our schools and districts to provide services can appreciate the full breadth of that responsibility, whether they stand in that same place with us or not.

Finally, I am unsure how anyone can even consider any further delay of what is in its most basic form a security and transparency law for students, parents, educators and districts. Fully appreciative of your recognition of the error of such perspective by maintaining the current effective date.

Thank you,
Jennifer Jacobsen